

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TENNESSEE
Western Division

FILED BY *Jmm* D.C.

05 DEC 27 PM 3:30

THOMAS M. GOULD
CLERK, U.S. DISTRICT COURT
W/D OF TN, MEMPHIS

Case No. 2:05cr20413-1Ma

UNITED STATES OF AMERICA

-vs-

FRED ERBY

ORDER OF DETENTION PENDING TRIAL

FINDINGS

In accordance with the Bail Reform Act, 18 U.S.C. § 3142(f), a detention hearing has been held. The following facts and circumstances require the defendant to be detained pending trial.

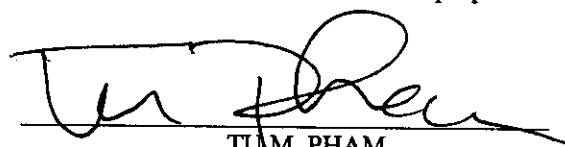
The defendant makes no application for release at this time. A motion for conditions of release and a detention hearing may be filed at a later date.

Arraignment set for Wednesday, January 4, 2006 at 10:00 am before Magistrate Judge S. Anderson in Courtroom #M-3, 9th floor, United States Courthouse and Federal Building, 167 North Main, Memphis, TN.

DIRECTIONS REGARDING DETENTION

FRED ERBY is committed to the custody of the Attorney General or his designated representative for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal. **FRED ERBY** shall be afforded a reasonable opportunity for private consultation with defense counsel. On order of a Court of the United States or on request of an attorney for the government, the person in charge of the corrections facility shall deliver the Defendant to the United States marshal for the purpose of an appearance in connection with a Court proceeding.

Date: December 27, 2005


TUM. PHAM
UNITED STATES MAGISTRATE JUDGE

10



Notice of Distribution

This notice confirms a copy of the document docketed as number 10 in case 2:05-CR-20413 was distributed by fax, mail, or direct printing on December 29, 2005 to the parties listed.

FPD
FEDERAL PUBLIC DEFENDER
200 Jefferson Ave.
Ste. 200
Memphis, TN 38103

Katrina U. Earley
U.S. ATTORNEY'S OFFICE
167 N. Main St.
Ste. 800
Memphis, TN 38103

Honorable Samuel Mays
US DISTRICT COURT